

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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Miguel Chavez, and Valenciano Chavez *on behalf
of themselves and others similarly situated in the
proposed FLSA Collective Action,*

Case No.: 22-cv-10795

Plaintiffs,

- against -

Goodness Organic Deli Corp., and Ali Alotani,

Defendants.
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**NOTICE OF ACCEPTANCE OF
OFFER OF JUDGMENT
PURSUANT TO
FED.R.CIV.P. 68**

WHEREAS, pursuant Rule 68 of the Federal Rules of Civil Procedure (“Fed.R.Civ.P.”), Defendants Goodness Organic Deli Corp., and Ali Alotani (collectively, the “Defendants”), having offered to allow Plaintiffs Miguel Chavez, and Valenciano Chavez (together, the “Plaintiffs”) to take a judgment against the Defendants in this action in the total sum of Thirteen Thousand Dollars and zero cents (\$13,000.00), payable as follows:

1. A payment in the amount of Thirteen Thousand Dollars and zero cents (\$13,000.00) payable within three (3) days following the Court’s Entry and Order of this Offer of Judgment.

WHEREAS, in the event of Defendants’ failure to make any payment when due as set forth above, the breach shall result in accelerated payment of Nineteen Thousand Five Hundred Dollars and zero cents (\$19,500.00), together with all costs and attorneys’ fees incurred by Plaintiffs in connection with any efforts to enforce any Judgment, less any payments made by Defendants as set forth herein. Defendants acknowledge and agree that this calls for a judgment in a greater amount than the initial judgment amount as a penalty for an uncured default.

WHEREAS, the total sum of Thirteen Thousand Dollars and zero cents (\$13,000.00) is inclusive of reasonable attorney’s fees, costs, and expenses, for Plaintiffs’ claims against

Defendants arising out, alleged in, or related to, the facts and transactions alleged in the above-captioned action (the “Offer of Judgment”).

WHEREAS, a true and correct copy of the Offer of Judgment is annexed hereto as **Exhibit “A”**;

NOTICE IS HEREBY GIVEN that Plaintiff’s counsel hereby confirms acceptance of Defendants’ Offer of Judgment.

LEVIN-EPSTEIN & ASSOCIATES, P.C.

By: 

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Encl.